



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2069

DATE SCANNED 10-19-09

SCANNER NO. 2

SCAN OPERATOR Jrud

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 APR -7 P 3:11

April 7, 2009

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ROBERT HICKEY  
STAFF DIRECTOR *AP for RAH*

FROM: JOHN D. GIBSON *JG*  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER/SARI PICKERALL *RM*  
COMPLIANCE BRANCH *SP*

SUBJECT: WITHDRAWAL AND RESUBMISSION OF REASON TO BELIEVE  
RECOMMENDATION - 2008 YEAR-END REPORT FOR THE  
ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2008 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2009.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days but no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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## **Recommendation**

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2. Find reason to believe that all other political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
3. Send the appropriate letters.

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**Federal Election Commission**  
**Reason to Believe Circulation Report**  
**2008 YEAR-END Not Election Sensitive 01/31/2009 H\_S\_P\_UNAUTH**

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2043	C00444067	ALASKANS FOR CUDDY	CUDDY, DAVID W.	BRUCE E. ELIASEN	\$2,517,748.00	0		Not Filed	\$629,437 (est)	\$10,000
2044	C00446476	AMIT SINGH FOR CONGRESS	SINGH, AMIT KUMAR	WENDY S. REIGHARD	\$123,334.00	0		Not Filed	\$30,834 (est)	\$900

2046	C00436535	BENJAMIN LODMELL FOR US CONGRESS	LODMELL, BENJAMIN	BENJAMIN LODMELL	\$121,932.00	0		Not Filed	\$40,644 (est)	\$900
2047	C00443036	BENNY SHENDO FOR CONGRESS	SHENDO, BENNY, JR.	JOSEPH A. GARCIA	\$321,859.00	0		Not Filed	\$80,465 (est)	\$3,500
2048	C00443762	CARRARO FOR CONGRESS	CARRARO, JOSEPH J.	C. BERT LEDBETTER	\$146,500.00	0		Not Filed	\$36,625 (est)	\$900

2050	C00417972	CHASE FOR SENATE	CHASE, KEN	FRANCIS G. CHASE	\$141,295.00	1		Not Filed	\$20,185 (est)	\$625
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2052	C00444208	CITIZENS FOR RAY MCKINNEY	MCKINNEY, RAYMOND L. JR.	LISA DARLENE MCKINNEY	\$177,090.00	2		Not Filed	\$44,273 (est)	\$1,350
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2054	C00453852	COMMITTEE TO ELECT KENYA 2 CONGRESS	SMITH, KENYA J. H.	ROLAND BARTHE	\$188,899.00	0		Not Filed	\$62,966 (est)	\$2,700
2055	C00449876	COMMITTEE TO ELECT MARY WRIGHT	WRIGHT, MARY D.	MARY WRIGHT	\$343,017.00	1		Not Filed	\$57,169 (est)	\$3,375
2056	C00420224	COX 2008 COMMITTEE INC	COX, JOHN H.	CLAREMONT RUFF	\$1,275,764.00	0		Not Filed	\$65,051 (est)	\$3,500

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2058	C00447029	DARIUS FOR CONGRESS	SHAHINFAR, DARIUS	DARIUS SHAHINFAR	\$477,471.00	0	2/18/2009	18	\$7,089	\$140
2059	C00444984	DECUIR FOR CONGRESS	DECUIR, JASON MAURICE	WINSTON G. DECUIR, SR.	\$276,237.00	0		Not Filed	\$69,059 (est)	\$2,700

2061	C00438077	ERIC EGLAND FOR CONGRESS	EGLAND, ERIC IVER	ANIA EGLAND	\$345,400.00	0		Not Filed	\$69,080 (est)	\$2,700
2062	C00294918	FANNIE LOU HAMER FEDERAL POLITICAL ACTION COMMITTEE		EDWIN K. WASHINGTON	\$122,663.00	0		Not Filed	\$17,523 (est)	\$500
2063	C00431049	FINEGOLD COMMITTEE	FINEGOLD, BARRY	TRAVIS M. DROUIN	\$1,957,437.00	1		Not Filed	\$217,493 (est)	\$8,125
2064	C00395392	FRIENDS OF BARBARA FERRIS	FERRIS, BARBARA ANNE	BARBARA ANNE FERRIS	\$139,812.00	0		Not Filed	\$17,477 (est)	\$500
2065	C00444992	FRIENDS OF JOHN STROUP	STROUP, JOHN REA	ERIC LEO FUNK	\$142,927.00	0		Not Filed	\$47,642 (est)	\$900

2067	C00445189	JACKSON FOR CONGRESS	JACKSON, MICHAEL	MURPHY F. BELL JR.	\$429,544.00	0		Not Filed	\$53,693 (est)	\$2,700
2068	C00441444	JENNIFER DOUGHERTY FOR CONGRESS	DOUGHERTY, JENNIFER P.	KATHLEEN D. CASSIDY	\$345,248.00	0		Not Filed	\$49,321 (est)	\$900
2069	C00447052	JIM FORSYTHE FOR CONGRESS	FORSYTHE, JAMES RUSSELL	CHRISTOPHER LAWLESS	\$194,799.00	0		Not Filed	\$64,933 (est)	\$2,700
2070	C00442863	JONELROD.COM	ELROD, JONATHAN ROBERT	JAN MARSHALL	\$397,888.00	0		Not Filed	\$56,841 (est)	\$2,700

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2072	C00001743	LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND		ANTHONY GRAFFINO	\$206,842.00	0	3/25/2009	Not Filed	\$10,213	\$500

2074	C00409631	LOUISIANA REFORM PAC		JOHN C. SCHMIDT	\$451,239.00	0	2/27/2009	27	\$14,204	\$235
2075	C00443986	MARK ANDERSON FOR CONGRESS	ANDERSON, MARK	KOREY BOALS	\$298,449.00	0		Not Filed	\$59,690 (est)	\$2,700
2076	C00381277	OHIO COAL ASSOCIATION PAC		MICHAEL CAREY	\$182,844.00	0	3/1/2009	29	\$3,471	\$170
2077	C00446799	ONDER FOR CONGRESS	ONDER, ROBERT FRANK, JR.	PHIL ECKELKAMP	\$1,441,485.00	0		Not Filed	\$360,371 (est)	\$9,000
2078	C00165324	PHILADELPHIA JOINT BOARD UNITE HERE TIPS		MILDRED SALDANA	\$153,899.00	0	2/23/2009	23	\$330	\$140
2079	C00442558	PIPKIN FOR CONGRESS	PIPKIN, E. J.	STEPHEN S. HERSHEY, JR.	\$2,150,616.00	0		Not Filed	\$537,654 (est)	\$9,500
2080	C00363812	RECREATIONAL FISHING ALLIANCE, PAC		TONI STEFANO	\$104,891.00	2		Not Filed	\$20,978	\$750
2081	C00449629	REED FOR US SENATE 2008 INC	REED, CHRISTOPHER	KIMBERLY REED	\$117,880.00	0		Not Filed	\$29,470 (est)	\$900
2082	C00433128	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	CARMEN FLORES-RANCE	\$690,313.00	0		Not Filed	\$172,578 (est)	\$5,500.00
2083	C00437152	SCONTRAS FOR CONGRESS	SCONTRAS, DEAN P.	JANE E. FAULKNER	\$776,540.00	0		Not Filed	\$129,423 (est)	\$4,500

2085	C00430520	TODD LONG FOR CONGRESS	LONG, WILLIAM TODD	WILLIAM TODD LONG	\$653,524.00	0		Not Filed	\$81,691 (est)	\$3,500
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2086	C00340828	TROVER SOLUTIONS INC		DOUGLAS R. SHARPS	\$104,354.00	0	3/5/2009	Not Filed	\$2,832	\$250
2087	C00403774	UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY		KENNETH PON	\$105,456.00	0	2/18/2009	18	\$6,881	\$140
2088	C00451831	WYNE FOR CONGRESS	WYNE, JAMSHAD	MARIA SCHILLACI	\$610,514.00	0		Not Filed	\$203,505 (est)	\$6,500

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Withdrawal and Resubmission of Reason )  
 To Believe Recommendation - 2008 Year )  
 End Report for the Administrative Fine )  
 Program: )  
 ALASKANS FOR CUDDY, and BRUCE E ) AF# 2043  
 ELIASSEN as treasurer; )  
 AMIT SINGH FOR CONGRESS, and ) AF# 2044  
 WENDY S REIGHARD as treasurer; )

BENJAMIN LODMELL FOR U S ) AF# 2046  
 CONGRESS, and BENJAMIN LODMELL )  
 as treasurer; )  
 BENNY SHENDO FOR CONGRESS, and ) AF# 2047  
 JOSEPH A GARCIA as treasurer; )  
 CARRARO FOR CONGRESS, and C ) AF# 2048  
 BERT LEDBETTER as treasurer; )

CHASE FOR SENATE, and FRANCIS G ) AF# 2050  
 CHASE as treasurer; )

CITIZENS FOR RAY MCKINNEY, and ) AF# 2052  
 LISA DARLENE MCKINNEY as )  
 treasurer; )

COMMITTEE TO ELECT KENYA 2 ) AF# 2054  
 CONGRESS, and ROLAND BARTHE as )  
 treasurer; )  
 COMMITTEE TO ELECT MARY ) AF# 2055  
 WRIGHT, and MARY WRIGHT as )  
 treasurer; )  
 COX 2008 COMMITTEE INC, and RUFF, ) AF# 2056  
 CLAREMONT as treasurer; )

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DARIUS FOR CONGRESS, and	)	AF# 2058
SHAHINFAR, DARIUS as treasurer;	)	
DECUIR FOR CONGRESS, and	)	AF# 2059
WINSTON G DECUIR SR as treasurer;	)	

ERIC EGLAND FOR CONGRESS, and	)	AF# 2061
EGLAND, ANIA as treasurer;	)	
FANNIE LOU HAMER FEDERAL	)	AF# 2062
POLITICAL ACTION COMMITTEE, and	)	
EDWIN K WASHINGTON as treasurer;	)	
FINEGOLD COMMITTEE, and TRAVIS	)	AF# 2063
M DROUIN as treasurer;	)	
FRIENDS OF BARBARA FERRIS, and	)	AF# 2064
BARBARA ANNE FERRIS as treasurer;	)	
FRIENDS OF JOHN STROUP, and ERIC	)	AF# 2065
LEO FUNK as treasurer;	)	

JACKSON FOR CONGRESS, and	)	AF# 2067
MURPHY F BELL JR as treasurer;	)	
JENNIFER DOUGHERTY FOR	)	AF# 2068
CONGRESS, and KATHLEEN D	)	
CASSIDY as treasurer;	)	
JIM FORSYTHIE FOR CONGRESS, and	)	AF# 2069
CHRISTOPHER LAWLESS as treasurer;	)	
JONELROD.COM, and JAN MARSHALL	)	AF# 2070
as treasurer;	)	

LOCAL 1814 INTERNATIONAL	)	AF# 2072
LONGSHOREMENS ASSOC AFL-CIO	)	
POLITICAL ACTION AND EDUCATION	)	
FUND, and ANTHONY GRAFFINO as	)	
treasurer;	)	

LOUISIANA REFORM PAC, and	)	AF# 2074
SCHMIDT, JOHN C as treasurer;	)	
MARK ANDERSON FOR CONGRESS,	)	AF# 2075
and BOALS, KOREY as treasurer;	)	

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OIIIO COAL ASSOCIATION PAC, and	)	AF# 2076
CAREY^MICHAEL^ as treasurer;	)	
ONDER FOR CONGRESS, and PHIL	)	AF# 2077
ECKELKAMP as treasurer;	)	
PHILADELPHIA JOINT BOARD UNITE	)	AF# 2078
HERE TIPS, and MS MILDRED	)	
SALDANA as treasurer;	)	
PIPKIN FOR CONGRESS, and STEPHEN	)	AF# 2079
S HERSHEY JR as treasurer;	)	
RECREATIONAL FISHING ALLIANCE,	)	AF# 2080
PAC, and TONI STEFANO as treasurer;	)	
REED FOR US SENATE 2008 INC, and	)	AF# 2081
KIMBERLY REED as treasurer;	)	
RICARDO MUNOZ FOR CONGRESS,	)	AF# 2082
and CARMEN FLORES-RANCE as	)	
treasurer;	)	
SCONTRAS FOR CONGRESS, and	)	AF# 2083
GORDON A DAVIS as treasurer;	)	
TODD LONG FOR CONGRESS, and	)	AF# 2085
LONG, WILLIAM TODD MR. as	)	
treasurer;	)	
TROVER SOLUTIONS INC, and	)	AF# 2086
DOUGLAS R SHARPS as treasurer;	)	
UNITED DEMOCRATIC CAMPAIGN OF	)	AF# 2087
ALAMEDA COUNTY, and KENNETH	)	
PON CPA as treasurer;	)	
WYNE FOR CONGRESS, and MARIA	)	AF# 2088
SCHILLACI as treasurer;	)	

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on April 08, 2009 the Commission took the following actions on the  
Withdrawal and Resubmission of Reason To Believe Recommendation - 2008 Year End  
Report for the Administrative Fine Program as recommended in the Reports Analysis  
Division's Memorandum dated April 07, 2009, on the following committees:

AF#2043 Decided by a vote of 6-0 to: (1) find reason to believe that ALASKANS FOR CUDDY, and BRUCE E ELIASSEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2044 Decided by a vote of 6-0 to: (1) find reason to believe that AMIT SINGH FOR CONGRESS, and WENDY S REIGHARD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2046 Decided by a vote of 6-0 to: (1) find reason to believe that BENJAMIN LODMELL FOR U S CONGRESS, and BENJAMIN LODMELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2047 Decided by a vote of 6-0 to: (1) find reason to believe that BENNY SHENDO FOR CONGRESS, and JOSEPH A GARCIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2048 Decided by a vote of 6-0 to: (1) find reason to believe that CARRARO FOR CONGRESS, and C BERT LEDBETTER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2050 Decided by a vote of 6-0 to: (1) find reason to believe that CHASE FOR SENATE, and FRANCIS G CHASE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2052 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR RAY MCKINNEY, and LISA DARLENE MCKINNEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2054 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT KENYA 2 CONGRESS, and ROLAND BARTHE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2055 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARY WRIGHT, and MARY WRIGHT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2056 Decided by a vote of 6-0 to: (1) find reason to believe that COX 2008 COMMITTEE INC, and RUFF, CLAREMONT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2058 Decided by a vote of 6-0 to: (1) find reason to believe that DARIUS FOR CONGRESS, and SHAHINFAR, DARIUS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2059 Decided by a vote of 6-0 to: (1) find reason to believe that DECUIR FOR CONGRESS, and WINSTON G DECUIR SR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2061 Decided by a vote of 6-0 to: (1) find reason to believe that ERIC EGLAND FOR CONGRESS, and EGLAND, ANIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2062 Decided by a vote of 6-0 to: (1) find reason to believe that FANNIE LOU HAMER FEDERAL POLITICAL ACTION COMMITTEE, and EDWIN K WASHINGTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2063 Decided by a vote of 6-0 to: (1) find reason to believe that FINEGOLD COMMITTEE, and TRAVIS M DROUIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated

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on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2064 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF BARBARA FERRIS, and BARBARA ANNE FERRIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2065 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JOHN STROUP, and ERIC LEO FUNK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2067 Decided by a vote of 6-0 to: (1) find reason to believe that JACKSON FOR CONGRESS, and MURPHY F BELL JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2068 Decided by a vote of 6-0 to: (1) find reason to believe that JENNIFER DOUGHERTY FOR CONGRESS, and KATHLEEN D CASSIDY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2069 Decided by a vote of 6-0 to: (1) find reason to believe that JIM FORSYTHE FOR CONGRESS, and CHRISTOPHER LAWLESS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2070 Decided by a vote of 6-0 to: (1) find reason to believe that JONELROD.COM, and JAN MARSHALL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2072 Decided by a vote of 6-0 to: (1) find reason to believe that LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND, and ANTHONY GRAFFINO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2074 Decided by a vote of 6-0 to: (1) find reason to believe that LOUISIANA REFORM PAC, and SCHMIDT, JOHN C as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2075 Decided by a vote of 6-0 to: (1) find reason to believe that MARK ANDERSON FOR CONGRESS, and BOALS, KOREY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2076 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO COAL ASSOCIATION PAC, and CAREY^MICHAEL^^ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2077 Decided by a vote of 6-0 to: (1) find reason to believe that ONDER FOR CONGRESS, and PHIL ECKELKAMP as treasurer violated 2 U.S.C. 434(a) and make a

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preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2078 Decided by a vote of 6-0 to: (1) find reason to believe that PHILADELPHIA JOINT BOARD UNITE HERE TIPS, and MS MILDRED SALDANA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2079 Decided by a vote of 6-0 to: (1) find reason to believe that PIPKIN FOR CONGRESS, and STEPHEN S HERSHEY JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2080 Decided by a vote of 6-0 to: (1) find reason to believe that RECREATIONAL FISHING ALLIANCE, PAC, and TONI STEFANO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2081 Decided by a vote of 6-0 to: (1) find reason to believe that REED FOR US SENATE 2008 INC, and KIMBERLY REED as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2082 Decided by a vote of 6-0 to: (1) find reason to believe that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2083 Decided by a vote of 6-0 to: (1) find reason to believe that SCONTRAS FOR CONGRESS, and GORDON A DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2085 Decided by a vote of 6-0 to: (1) find reason to believe that TODD LONG FOR CONGRESS, and LONG, WILLIAM TODD MR. as treasurer violated 2 U.S.C.

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434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2086 Decided by a vote of 6-0 to: (1) find reason to believe that TROVER SOLUTIONS INC, and DOUGLAS R SHARPS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2087 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY, and KENNETH PON CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2088 Decided by a vote of 6-0 to: (1) find reason to believe that WYNE FOR CONGRESS, and MARIA SCHILLACI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 8, 2009  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

29092642807



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 13, 2009

Christopher Lawless as Treasurer  
Jim Forsythe for Congress  
51 Lakeshore Dr.  
Strafford, NH 03884

C00447052  
AF#: 2069

Dear Mr. Lawless:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2008, was due no later than January 31, 2009. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act was amended in 1999 to permit the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On April 8, 2009, the FEC found that there is reason to believe ("RTB") that Jim Forsythe for Congress and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before January 31, 2009. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,700. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment is due within forty (40) days of the finding, or by May 18, 2009, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$64,933  
Number of Days Late: Not Filed  
Number of Previous Civil Money Penalties Assessed: 0

**To Pay the Calculated Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

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### **To Challenge the RTB Finding and/or Calculated Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found on page one, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 18, 2009. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty. The FEC will only consider challenges that are based on a factual error in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly. 11 C.F.R. § 111.35(d). Your response must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

Pursuant to the Commission's regulations, the "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

### **If You Do Not Pay the Calculated Civil Money Penalty or Submit a Challenge**

If you do not pay the calculated civil money penalty or submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Jim Forsythe for Congress and you as treasurer violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 et seq. The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.45.

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This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Steven T. Walther  
Chairman

29092642810

-----  
**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$2,700 for the 2008 Year-End Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by May 18, 2009. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
-----

FOR: Jim Forsythe for Congress

FEC ID#: C00447052

AF#: 2069

PAYMENT DUE DATE: May 18, 2009

PAYMENT AMOUNT DUE: \$2,700

29092642811

Jim Forsythe  
51 Lakeshore Dr  
Strafford, NH 03884

MAY -5 A 11:40

RECEIVED  
FEC MAIL CENTER

2009 MAY -5 A 11:02

FEC Office of Administrative Review  
999 E Street, NW  
Washington, DC 20463

RE: AF#: 2069, Committee ID #: C00447052

FEC,

My committee has been fined for not filing an annual report Jan of 2009. However I had already filed a termination report, that after amendment showed a zero balance. I had been informed by the FEC that no further filings were required after filing this report, and that is my reading of the relevant regulations as well. Enclosed please find a copy of the termination reports off the FEC website. Please remove this fine ASAP. I can be contacted for further questions at

  
Jim Forsythe

29092642812



# **FEC FORM 3**

## **REPORT OF RECEIPTS AND DISBURSEMENTS**

**For An Authorized Committee**

**FILING FEC-364396**

### **1. Jim Forsythe for Congress**

51 Lakeshore Drive  
Strafford, New Hampshire 03884

**State is New Hampshire in District: 1**

**2. FEC Committee ID #: C00447052**

**3. This report is NOT an AMENDMENT**

**4. Report Type = TERMINATION REPORT**

Filed 09/29/2008

**SUMMARY PAGE**

**DETAILED SUMMARY PAGE**

**(End FEC FORM 3)**

## **SUMMARY PAGE**

### **Of Receipts And Disbursements**

**5. Covering Period 07/01/2008 Through 09/30/2008**

<http://query.nictusa.com/cgi-bin/dcdev/forms/C00447052/364396/>

5/1/2009

29092642813

	Column A This Period	Column B Election Cycle-To-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans)	0.00	102185.95
(b) Total Contribution Refunds	0.00	0.00
(c) Net Contributions (6(a) - 6(b))	0.00	102185.95
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures	0.00	30755.97
(b) Total Offsets to Operating Expenditures	0.00	0.00
(c) Net Operating Expenditures	0.00	30755.97
<b>8. Cash on Hand at Close of Reporting Period</b>	13156.62	
<b>9. Debts and Obligations Owed TO the Committee</b>	0.00	
Itemize all on SCHEDULE C or SCHEDULE D		
<b>10. Debts and Obligations Owed BY the Committee</b>	0.00	
Itemize all on SCHEDULE C or SCHEDULE D		

Treasurer: Kelli Duggan

Date Signed: 09/29/2008

**(End Summary Page, FEC FORM 3)**

## DETAILED SUMMARY PAGE

### Of Receipts And Disbursements

	Column A This Period	Column B Election Cycle-To- Date	Column C Post- Election
<b>I. RECEIPTS</b>			
<b>11. Contributions (other than loans) From:</b>			
<b>(a) Individuals/Persons Other than Political Committees</b>			
(i) Itemized	0.00		
(ii) Unitemized	0.00		
(iii) Total Of Contributions From Individuals	0.00	98970.95	0.00
<b>(b) Political Party Committees</b>	0.00	2000.00	0.00
<b>(c) Other Political Committees (such as PACS)</b>	0.00	0.00	0.00
<b>(d) The Candidate</b>	0.00	1215.00	0.00
<b>(e) Total Contributions (11(a)(iii) + (b) + (c))</b>	0.00	102185.95	0.00



12. Transfers From Other Authorized Committees	0.00	0.00	0.00
13. Loans			
(a) Made Or Guaranteed By The Candidate	0.00	0.00	0.00
(b) All Other Loans	0.00	0.00	0.00
(c) Total Loans ((a) + (b))	0.00	0.00	0.00
14. Offsets to Operating Expenditures (Refunds, Rebates, etc)	0.00	0.00	0.00
15. Other Receipts	0.00	0.00	0.00
16. Total Receipts (11(e) + 12 + 13(c) + 14 + 15)	0.00	102185.95	0.00
<b>II. DISBURSEMENTS</b>			
17. Operating Expenditures	0.00	30755.97	0.00
18. Transfers to Other Authorized Committees	0.00	0.00	0.00
19. Loan Repayments:			
(a) Of Loans Made or Guaranteed by the Candidate	0.00	0.00	0.00
(b) Of All Other Loans	0.00	0.00	0.00
(c) Total Loan Repayments ((a) + (b))	0.00	0.00	0.00
20. Refunds of Contributions To:			
(a) Individuals/Persons Other Than Political Committees	0.00	0.00	0.00
(b) Political Party Committees	0.00	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00	0.00
(d) Total Contribution Refunds (28(a) + (b) + (c))	0.00	0.00	0.00
21. Other Disbursements	0.00	0.00	0.00
22. Total Disbursements (17 + 18 + 19(c) + 20(d) + 21)	0.00	30755.97	0.00
<b>III. CASH SUMMARY</b>			
23. Cash On Hand At Beginning Of Reporting Period	13156.62		
24. Total Receipts This Period (line 16)	0.00	102185.95	0.00
25. Subtotal (23 + 24)	13156.62		
26. Total Disbursements This Period (line 22)	0.00	30755.97	0.00
27. Cash On Hand At Close Of The Reporting Period (25 - 26)	13156.62		

(End Detailed Summary Page, FEC FORM 3)



Generated Fri May 1 14:51:57 2009

<http://query.nictusa.com/cgi-bin/dcdev/forms/C00447052/364396/>

5/1/2009

29092642815



# **FEC FORM 3**

## **REPORT OF RECEIPTS AND DISBURSEMENTS**

**For An Authorized Committee**

**FILING FEC-367981**

### **1. Jim Forsythe for Congress**

51 Lakeshore Drive  
Strafford, New Hampshire 03884

**State is New Hampshire in District: 1**

**2. FEC Committee ID #: C00447052**

**3. This report IS an AMENDMENT**

**4. Report Type = TERMINATION REPORT**

Filed 10/14/2008

**SUMMARY PAGE**

**DETAILED SUMMARY PAGE**

**(End FEC FORM 3)**

## **SUMMARY PAGE**

### **Of Receipts And Disbursements**

**5. Covering Period 10/01/2008 Through 10/01/2008**

<http://query.nictusa.com/cgi-bin/dcdev/forms/C00447052/367981/>

5/1/2009

29092642816

	Column A This Period	Column B Election Cycle-To-Date
<b>6. Net Contributions (other than loans)</b>		
(a) Total Contributions (other than loans)	0.00	102185.95
(b) Total Contribution Refunds	0.00	0.00
(c) Net Contributions (6(a) - 6(b))	0.00	102185.95
<b>7. Net Operating Expenditures</b>		
(a) Total Operating Expenditures	0.00	30755.97
(b) Total Offsets to Operating Expenditures	0.00	0.00
(c) Net Operating Expenditures	0.00	30755.97
<b>8. Cash on Hand at Close of Reporting Period</b>	0.00	
<b>9. Debts and Obligations Owed TO the Committee</b>	0.00	
Itemize all on SCHEDULE C or SCHEDULE D		
<b>10. Debts and Obligations Owed BY the Committee</b>	0.00	
Itemize all on SCHEDULE C or SCHEDULE D		

Treasurer: Kelli Duggan

Date Signed: 10/14/2008

**(End Summary Page, FEC FORM 3)**

## DETAILED SUMMARY PAGE

### Of Receipts And Disbursements

	Column A This Period	Column B Election Cycle-To- Date	Column C Post- Election
<b>I. RECEIPTS</b>			
<b>11. Contributions (other than loans) From:</b>			
<b>(a) Individuals/Persons Other than Political Committees</b>			
(i) Itemized	0.00		
(ii) Unitemized	0.00		
(iii) Total Of Contributions From Individuals	0.00	98970.95	0.00
<b>(b) Political Party Committees</b>	0.00	2000.00	0.00
<b>(c) Other Political Committees (such as PACS)</b>	0.00	0.00	0.00
<b>(d) The Candidate</b>	0.00	1215.00	0.00
<b>(e) Total Contributions (11(a)(iii) + (b) + (c))</b>	0.00	102185.95	0.00

12. Transfers From Other Authorized Committees	0.00	0.00	0.00
<b>13. Loans</b>			
(a) Made Or Guaranteed By The Candidate	0.00	0.00	0.00
(b) All Other Loans	0.00	0.00	0.00
(c) Total Loans ((a) + (b))	0.00	0.00	0.00
14. Offsets to Operating Expenditures (Refunds, Rebates, etc)	0.00	0.00	0.00
15. Other Receipts	0.00	0.00	0.00
16. Total Receipts (11(e) + 12 + 13(c) + 14 + 15)	0.00	102185.95	0.00
<b>II. DISBURSEMENTS</b>			
17. Operating Expenditures	0.00	30755.97	0.00
18. Transfers to Other Authorized Committees	0.00	0.00	0.00
<b>19. Loan Repayments:</b>			
(a) Of Loans Made or Guaranteed by the Candidate	0.00	0.00	0.00
(b) Of All Other Loans	0.00	0.00	0.00
(c) Total Loan Repayments ((a) + (b))	0.00	0.00	0.00
<b>20. Refunds of Contributions To:</b>			
(a) Individuals/Persons Other Than Political Committees	0.00	0.00	0.00
(b) Political Party Committees	0.00	0.00	0.00
(c) Other Political Committees (such as PACs)	0.00	0.00	0.00
(d) Total Contribution Refunds (28(a) + (b) + (c))	0.00	0.00	0.00
21. Other Disbursements	0.00	0.00	0.00
22. Total Disbursements (17 + 18 + 19(c) + 20(d) + 21)	0.00	30755.97	0.00
<b>III. CASH SUMMARY</b>			
23. Cash On Hand At Beginning Of Reporting Period	0.00		
24. Total Receipts This Period (line 16)	0.00	102185.95	0.00
25. Subtotal (23 + 24)	0.00		
26. Total Disbursements This Period (line 22)	0.00	30755.97	0.00
27. Cash On Hand At Close Of The Reporting Period (25 - 26)	0.00		

(End Detailed Summary Page, FEC FORM 3)



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<http://query.nictusa.com/cgi-bin/dcdev/forms/C00447052/367981/>

5/1/2009

29092642818



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Via First Class Mail

May 6, 2009


Christopher Lawless, as Treasurer  
Jim Forsythe for Congress  
51 Lakeshore Drive  
Strafford, NH 03884

C00447053  
AF# 2069

Dear Mr. Lawless:

On May 5, 2009 the Commission received a written response ("challenge") which is being reviewed by the Office of Administrative Review. If you have any questions regarding this challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

  
Shawn Woodhead Werth  
Reviewing Officer  
Office of Administrative Review

cc: Jim Forsythe

29092642819

**Date:** May 21, 2009

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW  
CHALLENGE RECEIVED**

**AF#:** 2069

**Committee Name:** Jim Forsythe for Congress

**Committee ID#:** C00447052

**Committee Address (if different than in RTB letter):** N/A

**Treasurer Name (if different than in RTB finding):** N/A

**Attachments:**

**Copy of RTB Circulation Reports, dated April 3, 2009 and April 7, 2009, and  
RTB Certification, dated April 8, 2009: Previously Forwarded**

**Attachment #:** N/A

**Certified Return Receipt (Y/N):** Y

**Attachment #:** 1

**Other Relevant Telecoms (Y/N):** N

**Attachment #:** N/A

**Original Correspondence Received by RAD in Response to RTB Letter (Y/N):** N

**Attachment #:** N/A

**RAD Staff Declaration (Y/N):** Y

**-Prior Notice, dated December 27, 2008.**

**-Non-Filer Letter, dated February 20, 2009.**

**-RTB Letter, dated April 13, 2009.**

**Attachment #:** 3

**Other RAD Information: (Y/N):** N

**Attachment#:** N/A

29092642820

## SENDER COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

## 1. Article Addressed to:

CHRISTOPHER LAWLESS  
JIM FORSYTHE FOR CONGRESS  
51 LAKESHORE DR.  
STRAFFORD, NH 03884

## COMPLETE THIS SECTION ON DELIVERY

## A. Signature (S&amp;A)

X *[Signature]*

- ☐ Agent  
☐ Addressee

## B. Received by (Printed Name)

SUE FORSYTHE

## C. Date of Delivery

04/16/09

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

## 3. Service Type

- ☒ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

## 4. Restricted Delivery? (Extra Fee)

☐ Yes

## 2. Article Number

(Transfer from service label)

PS Form 3811, February 2004

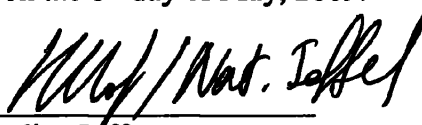
Domestic Return Receipt

102506-02-M-1540

**DECLARATION OF NATALIYA IOFFE**

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Jim Forsythe for Congress:
  - A) Prior Notice, dated December 27, 2008, referencing the 2008 Year End Report (sent via electronic mail to: [treasurer@jimforsythe.com](mailto:treasurer@jimforsythe.com))
  - B) Non-Filer Letter, dated February 20, 2009, referencing the 2008 Year End Report;
  - C) Reason-to-Believe Letter, dated April 13, 2009, referencing the 2008 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that Jim Forsythe for Congress has not yet filed the 2008 Year End Report with the Commission.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided.

This declaration was executed at Washington, D.C. on the 8<sup>th</sup> day of May, 2009.

  
\_\_\_\_\_  
Nataliya Ioffe  
Chief, Compliance Branch  
Reports Analysis Division  
Federal Election Commission

29092642822





YEAR-END

# REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2008

## CURRENT REPORT DUE

### I. 2008 GENERAL ELECTION CANDIDATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	11/25/08 - 12/31/08	01/31/09	01/31/09 <sup>2</sup>

### II. UNSUCCESSFUL 2008 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2008 ELECTIONS

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/08 - 12/31/08	01/31/09	01/31/09 <sup>2</sup>

#### NOTE FOR COMMITTEES NOT REQUIRED TO FILE A POST-GENERAL ELECTION REPORT -- CHART II (see above)

For candidates who ran in 2008 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8). Committees should not use the normal Detailed Summary Page.

Supplemental Filing Information is available on pages 3 and 4 of this notice.

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup>Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

## REPORTING SCHEDULE FOR 2009

### REPORTING DATES

REPORT	REPORTING PERIOD <sup>1</sup>	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly	01/01/09 - 03/31/09	04/15/09	04/15/09
July Quarterly	04/01/09 - 06/30/09	07/15/09	07/15/09
October Quarterly	07/01/09 - 09/30/09	10/15/09	10/15/09
Year-End	10/01/09 - 12/31/09	01/31/10	01/31/10 <sup>2</sup>

Supplemental Filing Information is available on pages 3 and 4 of this notice.

<sup>1</sup>These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

<sup>2</sup>Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's (or for Senate candidates, the Secretary of the Senate's) close of business on the last business day before the deadline.

## SUPPLEMENTAL FILING INFORMATION

**PLEASE NOTE:** The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

### WHO MUST FILE

Principal campaign committees of congressional candidates<sup>3</sup> (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2009.<sup>4</sup> Before a committee can stop filing with the FEC, it must file a termination report with the Commission. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

### METHODS OF FILING REPORTS

#### Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. For additional information, call the Electronic Filing Office at (800) 424-9530 or (202) 694-1642 or visit our website at [www.fec.gov/electfil/electron.shtml](http://www.fec.gov/electfil/electron.shtml).

Under the Commission's mandatory electronic filing regulations, U.S. House committees that receive contributions or make expenditures in excess of \$50,000 in a calendar year, or that have reason to expect to do so, must file all reports and statements with the FEC electronically. Other U.S. House committees may voluntarily file electronically; however, any entity that files electronically, whether required to do so or not, must comply with the electronic filing rules. U.S. Senate committees that file with the Secretary of the Senate are not subject to the mandatory electronic filing rules, but may file an unofficial copy of their reports with the Commission in order to speed disclosure.

#### Registered & Certified Mail

Reports sent by Registered or Certified Mail must be postmarked on or before the mailing deadline to be considered timely filed. A committee sending its reports by Certified Mail should keep its certified mailing receipt with the U.S. Postal Service (USPS) postmark as proof of filing because the USPS does not keep complete records of items sent by Certified Mail. A committee sending its report by Registered Mail should keep its proof of mailing. Note that a Certificate of Mailing from the USPS is not sufficient to prove that a report is timely filed using Registered, Certified or Overnight Mail.

<sup>3</sup>Generally, an individual becomes a candidate for Federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions received or expenditures made. If the campaign has not exceeded the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

<sup>4</sup>If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z.

### **Overnight Mail**

Reports filed via overnight mail will be considered timely filed if the report is received by the delivery service on or before the mailing deadline. "Overnight mail" includes Priority or Express Mail having a delivery confirmation, or an overnight delivery service with which the report is scheduled for next business day delivery and is recorded in the service's on-line tracking system.

### **Other Means of Filing**

Reports filed by any other means—including first class mail and courier—must be received by the Commission (or for Senate committees, the Secretary of the Senate) before the close of business on the last business day before the filing deadline.

Forms are available for downloading and printing at the FEC website at [www.fec.gov/info/forms.shtml](http://www.fec.gov/info/forms.shtml).

## **COMPLIANCE**

**Treasurer Responsibility.** Treasurers of political committees are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time. For additional information, see the Commission's *Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings* on the web site at [www.fec.gov/law/policy/2004/notice2004-20.pdf](http://www.fec.gov/law/policy/2004/notice2004-20.pdf).

**Administrative Fine Program.** Under the Administrative Fine Program, political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$16,000 (or more for repeat late- and non-filers).<sup>5</sup> For additional information, visit the FEC website at [www.fec.gov/af/af.shtml](http://www.fec.gov/af/af.shtml).

**Report Format.** In addition, political committees that file illegible reports or use non-FEC forms (except for FEC-approved, computer-generated forms) will be required to refile their reports.

**Electronic Filers Must File Electronically.** Electronic filers who instead file on paper, or who submit an electronic report (either by direct transmission, 3.5" diskette or CD) that does not pass the validation program by 11:59 p.m. Eastern Time on the filing deadline, will be considered non-filers and may be subject to enforcement actions (including administrative fines).

## **IMPORTANT FILING INFORMATION - PAPER FILERS**

In response to the anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.<sup>6</sup> This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail service, and hand delivery.

<sup>5</sup>Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$16,000, even for first-time violations.

<sup>6</sup>Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more on filing reports via US mail.

**FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100**



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

February 20, 2009

RQ-7

CHRISTOPHER LAWLESS, TREASURER  
JIM FORSYTHE FOR CONGRESS  
51 LAKESHORE DR  
STRAFFORD, NH 3884

IDENTIFICATION NUMBER: C00447052

REFERENCE: YEAR-END REPORT 10/2/2008 - 10/30/2008

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR HOUSE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT [WWW.FEC.GOV](http://WWW.FEC.GOV).

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)424-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1130.

SINCERELY,

A handwritten signature in cursive script that reads "Patricia Carmona".

PATRICIA CARMONA  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION (RAD)

290300341992642827



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION COMMISSION  
SECRETARIAT

2009 MAY 28 P 2:39

May 28, 2009

**MEMORANDUM**

**SENSITIVE**

To: The Commission

Through: Robert A. Hickey *RAH*  
Staff Director

From: John D. Gibson *JDG*  
Chief Compliance Officer

Shawn Woodhead Wertz *SWW*  
Reviewing Officer  
Office of Administrative Review

By: Jill I. Sugarman *JIS*  
Reviewing Analyst

Subject: Reviewing Officer Recommendation in AF# 2069 – Jim Forsythe for Congress and Christopher Lawless, as Treasurer (C00447052)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

29092642828



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 28, 2009

**REVIEWING OFFICER RECOMMENDATION  
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2069 – Jim Forsythe for Congress and Christopher Lawless, as Treasurer  
(C00447052)

On April 8, 2009, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report and made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43. They were notified by the Reports Analysis Division ("RAD") on April 13, 2009 of the Commission's RTB finding and civil money penalty.

**Respondents' Response**

On May 5, 2009, the Commission received the written response ("challenge") from the Candidate, on behalf of the respondents, who states that a Termination Report was filed and subsequently amended to show a zero balance. He was informed by the Commission that no further filings were required after this report and that is also his reading of the relevant regulations. He asks that the fine be removed. Enclosed with the challenge are 6 pages from the Commission's website disclosing the Summary and Detailed Summary Page information for the Termination Report filed September 29, 2008 and the Amended Termination Report filed October 14, 2008.

**Analysis**

The 2008 Year End Report was filed on May 8, 2009, 97 days late.

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). Reports electronically filed must be received and validated at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed. 11 C.F.R. §§ 100.19(c) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

On October 9, 2008, RAD sent the respondents a Request for Additional Information referencing the Termination Report which covered the period from July 1 through September 30, 2008. The Request states they have not met the requirements for termination as they need to clarify how they will dispose of the residual funds. They were advised that they must continue to file reports until they receive the Commission's approval to terminate. On October 14, 2008, they filed an amended Termination Report covering October 1, 2008, and rather than clarifying the status of the residual funds, they

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simply deleted any reference to them. On December 27, 2008, the Prior Notice for the Year End Report was sent via email to treasurer@jimforsythe.com. This Notice also states that committees must file reports until the Commission notifies them in writing that their termination report has been accepted. Thus, they were aware before the filing deadline that they had to file the Year End Report. On February 20, 2009, RAD sent a letter informing them that they failed to file the report. There is no indication that they tried to contact anyone in response to these notifications.

On May 1, 2009, the Candidate called the RAD Analyst regarding the RTB letter. He said that the residual funds disclosed on the original Termination Report were transferred to a state political action committee in order to zero out the balance. The Analyst explained that the original Termination Report has a closing balance of \$13,156 and the amended Termination Report has an opening balance of \$0, creating a discrepancy in the cash-on-hand between the reports. She told him that this issue needs to be corrected before they can terminate and they must continue to file reports until the Commission approves their termination request.

At the time of the RTB finding, the Commission estimated the level of activity to be \$64,933 because no report was received. 11 C.F.R. § 111.43(a)(2)(ii) and (e). The Year End Report, filed on May 8, 2009, discloses \$0 in receipts and \$0 in disbursements, resulting in a level of activity of \$0. Since the schedule of penalties at 11 C.F.R. § 111.43(a)(2)(iii) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty should be assessed in this case.

Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$2,700).

#### **OAR Recommendations**

- (1) Adopt the Reviewing Office recommendation in AF# 2069 involving Jim Forsythe for Congress and Christopher Lawless, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2069 that Jim Forsythe for Congress and Christopher Lawless, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year End Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$2,700); and
- (3) Send the appropriate letter.

Reviewing Analyst: Jill I. Sugarman

#### **Attachments**

Attachment 1 – Challenge Received from Respondents

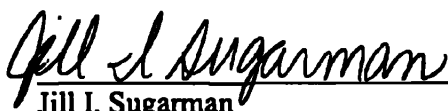
Attachment 2 – Declaration from RAD

Attachment 3 – Declaration from OAR



**DECLARATION OF JILL I. SUGARMAN**

- 1) I am the Reviewing Analyst in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Analyst, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
- 2) The 2008 Year End Report is due January 31, 2009. If electronically filed, it must be received and validated by the Commission at or before 11:59 p.m., Eastern Standard/Daylight Time on January 31 to be timely filed.
- 3) I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
  - (a) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page for the Termination Report electronically filed by Jim Forsythe for Congress and Christopher Lawless, as Treasurer. According to the Commission's records, the report covers the period from July 1 through September 30, 2008, and was received on September 29, 2008. The Signature of Treasurer Line has "Electronically Filed by Kelli Duggan." Line 27 lists \$13,156.62 as the cash on hand at close of reporting period;
  - (b) Request for Additional Information addressed to Jim Forsythe for Congress and Christopher Lawless, as Treasurer. According to the Commission's records, the Request is dated October 9, 2008 and references the Termination Report covering the period from July 1 through September 30, 2008. It states "you have not yet met the requirements for terminating your committee" and "you must continue to file reports until ... you have received FEC approval to terminate;"
  - (c) Page 1 of the Summary Page and Page 4 of the Detailed Summary Page for the Amended Termination Report electronically filed by Jim Forsythe for Congress and Christopher Lawless, as Treasurer. According to the Commission's records the report covers the period from October 1 through October 1, 2008, and was received on October 14, 2008. The Signature of Treasurer Line has "Electronically Filed by Kelli Duggan." Lines 23 and 27 list \$0.00 in cash on hand at beginning and close of reporting period, respectively; and
  - (d) Page 1 of the Summary Page and Page 8 of the Post Election Detailed Summary Page for the 2008 Year End Report electronically filed by Jim Forsythe for Congress and Christopher Lawless, as Treasurer. According to the Commission's records, the report covers the period from October 2 through December 31, 2008, and was received on May 8, 2009. The Signature of Treasurer Line has "Electronically Filed by Kelli Duggan." Lines 24 and 26 list \$0.00 in total receipts and \$0.00 in total disbursements, respectively, for the reporting period.
- 4) Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 28<sup>th</sup> of May, 2009.

  
Jill I. Sugarman

Reviewing Analyst  
Office of Administrative Review  
Federal Election Commission

29092642831

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Jim Forsythe for Congress

ADDRESS (number and street)

51 Lakeshore Drive

Check if different  
than previously  
reported. (ACC)

Stratford

NH

03884

2. FEC IDENTIFICATION NUMBER

C00447052

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS
- 
- REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

NH

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

X Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

07

01

2008

through

09

30

2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Kelli Duggan

Signature of Treasurer

Electronically Filed by Kelli Duggan

Date

09

29

2008

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

II. DISBURSEMENTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
17. OPERATING EXPENDITURES.....	0.00	30755.97
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ▶	0.00	30755.97

## **III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	13156.62
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	13156.62
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	13156.62



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 9, 2008

RQ-2

Christopher Lawless, Treasurer  
Jim Forsythe for Congress  
51 Lakeshore Drive  
Strafford, NH 03884

Response Due Date:  
November 10, 2008

Identification Number: C00447052

Reference: Termination Report (7/1/08 – 9/30/08)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. Failure to adequately respond by the response date noted above could result in an audit or enforcement action. Additional information is needed for the following item:

- Based on information you provided on your Termination Report, it appears that you have not yet met the requirements for terminating your committee. Under Federal Election Commission (FEC) regulations, your committee must satisfy the following conditions before it can terminate:

- a) it can no longer receive any contributions or make any disbursements that would otherwise qualify it as a political committee;
- b) it must extinguish or settle all outstanding debts and obligations pursuant to 11 CFR Part 116;
- c) and it must submit a statement explaining how it plans to dispose of residual funds (i.e., funds that remain in its account). 11 CFR § 102.3(a)

To correct your situation, please provide information clarifying the residual funds disclosed on your report. Be advised that you must continue to file reports until your committee has fully satisfied the conditions of 11 CFR § 102.3(a) and you have received FEC approval to terminate.

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**Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. Requests for extensions of time in which to respond will not be considered.**

**Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1166.**

Sincerely,



Jennifer E. Pittman  
Senior Campaign Finance Analyst  
Reports Analysis Division

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Jim Forsythe for Congress

ADDRESS (number and street)

51 Lakeshore Drive

Check if different  
than previously  
reported. (ACC)

Strafford

NH

03884

2. FEC IDENTIFICATION NUMBER

C00447052

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS
- 
- REPORT

NEW  
(N)

OR

X

AMENDED  
(A)

NH

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

January 31 Year-End Report (YE)

X Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period

10

01

2008

through

10

01

2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Kelli Duggan

Signature of Treasurer

Electronically Filed by Kelli Duggan

Date

10

14

2008

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)

FE5AN018

29092642836

# **DETAILED SUMMARY PAGE** of Disbursements

FEC Form 3 (Revised 02/2003)

Page 4

**II. DISBURSEMENTS****COLUMN A**  
Total This Period**COLUMN B**  
Election Cycle-to-Date

17. OPERATING EXPENDITURES.....	0.00	30755.97
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES.....	0.00	0.00
19. LOAN REPAYMENTS:		
(a) Of Loans Made or Guaranteed by the Candidate.....	0.00	0.00
(b) Of all Other Loans.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS (add Lines 19(a) and (b)).....	0.00	0.00
20. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	0.00	0.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees (such as PACs).....	0.00	0.00
(d) TOTAL CONTRIBUTION REFUNDS (add Lines 20(a), (b), and (c)).....	0.00	0.00
21. OTHER DISBURSEMENTS.....	0.00	0.00
22. TOTAL DISBURSEMENTS (add Lines 17, 18, 19(c), 20(d), and 21) ►	0.00	30755.97

**III. CASH SUMMARY**

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD.....	0.00
24. TOTAL RECEIPTS THIS PERIOD (from Line 16, page3).....	0.00
25. SUBTOTAL (add Line 23 and Line 24).....	0.00
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (subtract Line 26 from Line 25).....	0.00

**FEC  
FORM 3****REPORT OF RECEIPTS  
AND DISBURSEMENTS**

For An Authorized Committee

Office Use Only

1. NAME OF COMMITTEE (in full) **USE FEC MAILING LABEL OR TYPE OR PRINT** Example: If typing, type over the lines

Jim Forsythe for Congress

ADDRESS (number and street)

51 Lakeshore Drive

Check if different  
than previously  
reported. (ACC)

Strafford

NH

03884

2. FEC IDENTIFICATION NUMBER

C00447052

CITY

STATE

ZIP CODE

STATE DISTRICT

3. IS THIS
- 
- REPORT

X

NEW  
(N)

OR

AMENDED  
(A)

NH

01

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

April 15 Quarterly Report (Q1)

July 15 Quarterly Report (Q2)

October 15 Quarterly Report (Q3)

X January 31 Year-End Report (YE)

Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

Primary (12P)

General (12G)

Runoff (12R)

Convention (12C)

Special (12S)

Election on

in the  
State of

(c) 30-Day POST-Election Report for the:

General (30G)

Runoff (30R)

Special (30S)

Election on

in the  
State of

5. Covering Period 10 02 2008 through 12 31 2008

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer Kelli Duggan

Signature of Treasurer Electronically Filed by Kelli Duggan Date 12 31 2008

NOTE : Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

Office  
Use  
Only**FEC FORM 3**  
(Revised 02/2003)



**POST ELECTION DETAILED  
SUMMARY PAGE**

FEC Form 3 (Revised 1/01)

Report of Receipts and Disbursements

Page 6

COLUMN A Total this period	COLUMN B Election Cycle Total as of * (date of general election) (* See page 5 for date)	Total for * Through *	COLUMN C (date after general election) (last day of reporting period) (* See page 5 for date)
(c) Other political committees (such as PACs)			
0.00	0.00		0.00
(d) TOTAL CONTRIBUTION REFUNDS (See Lines 20(a), (b) and (c) )			
0.00	0.00		50821.11
21. OTHER DISBURSEMENTS			
0.00	0.00		5000.00
22. TOTAL DISBURSEMENTS (add lines 17, 18, 19(c), 20(d), and 21)			
0.00	30755.97		73222.00

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**III. NET CONTRIBUTIONS (OTHER THAN LOANS)**


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(Note: Substitute in lieu of Line #6 of Summary Page for this report only; subtract line 20(d) from Line 11(e))

0.00	102185.95	-49261.03
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**IV. NET OPERATING EXPENDITURES**


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(Note: Substitute in lieu of Line #7 of Summary Page for this report only; subtract line 14 from Line 17)

0.00	30755.97	4012.33
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**V. CASH SUMMARY**


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23. CASH ON HAND AT BEGINING OF REPORTING PERIOD .....	0.00
24. TOTAL RECEIPTS AT THIS PERIOD (from Line 16).....	0.00
25. SUBTOTAL(add Line 23 and Line 24) .....	0.00
26. TOTAL DISBURSEMENTS AT THIS PERIOD (from Line 22).....	0.00
27. CASH ON HAND AT CLOSE OF REPORTING PERIOD (Subtract Line 26 from Line 25).....	0.00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**VIA OVERNIGHT DELIVERY**

June 1, 2009

Christopher Lawless, as Treasurer  
Jim Forsythe for Congress  
51 Lakeshore Drive  
Strafford, NH 03884

C00447052  
AF# 2069

Dear Mr. Lawless:

On April 8, 2009, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Jim Forsythe for Congress and you, as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jill I. Sugarman". The signature is written in a cursive, flowing style.

Jill I. Sugarman  
Reviewing Analyst  
Office of Administrative Review

Attachment

29092642840



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

2009 JUL -1 P 3:15

July 1, 2009

**MEMORANDUM**

**SENSITIVE**

To: The Commission

Through: Robert A. Hickey *[Signature]*  
Staff Director

From: John D. Gibson *[Signature]*  
Chief Compliance Officer

Shawn Woodhead Wertz *[Signature]*  
Reviewing Officer  
Office of Administrative Review

By: Jill I. Sugarman *[Signature]*  
Reviewing Analyst

Subject: Final Determination Recommendation in AF# 2069 – Jim Forsythe for Congress and Christopher Lawless, as Treasurer (C00447052)

On April 8, 2009, the Commission found reason to believe that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report. Because they had not filed the report, the Commission made a preliminary determination, using the estimated level of activity, that the civil money penalty was \$2,700 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 8, 2009, the respondents filed the Year End Report which discloses \$0 in total receipts and \$0 in total disbursements. Since the report discloses that the Committee had no activity during the Year End reporting period and the schedule of penalties at 11 C.F.R. § 111.43(a)(2)(iii) only provides for civil money penalties if the level of activity is \$1.00 or more, no civil money penalty would have been assessed had the report been filed prior to the RTB finding.

On May 5, 2009, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated May 28, 2009 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that they violated 2 U.S.C. § 434(a) and assess a \$0 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

29092642842

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

**OAR Recommendations**

- (1) Adopt the Reviewing Office recommendation in AF# 2069 involving Jim Forsythe for Congress and Christopher Lawless, as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2069 that Jim Forsythe for Congress and Christopher Lawless, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year End Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$2,700); and
- (3) Send the appropriate letter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Final Determination Recommendation: ) AF 2069  
Jim Forsythe for Congress and )  
Christopher Lawless, as Treasurer )  
(C00447052) )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on July 16, 2009, the Commission decided by a vote of 5-0 to take the  
following actions in AF 2069:

1. Adopt the Reviewing Office recommendation in AF 2069 involving Jim Forsythe for Congress and Christopher Lawless, as Treasurer, in making the final determination.
2. Make a final determination in AF 2069 that Jim Forsythe for Congress and Christopher Lawless, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the Year End Report (\$0), assess a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$2,700).
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, Petersen, Walther, and Weintraub voted  
affirmatively for the decision. Commissioner McGahn II did not vote.

Attest:

July 17, 2009  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

29092642843



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 15, 2009

VIA CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Christopher Lawless, as Treasurer  
Jim Forsythe for Congress  
51 Lakeshore Drive  
Strafford, NH 03884

C00447052  
AF# 2069

Dear Mr. Lawless:

On April 8, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Jim Forsythe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2008 Year End Report. By letter dated April 13, 2009, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$2,700 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 5, 2009, the Office of Administrative Review received the written response from the Candidate, Jim Forsythe, challenging the RTB civil money penalty.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission reduce the RTB civil money penalty because it was calculated on an estimated level of activity, make a final determination that Jim Forsythe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the actual level of activity disclosed on the 2008 Year End Report filed May 8, 2009 (\$0), assess a civil money penalty in the amount of \$0 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on June 1, 2009.

On July 16, 2009, the Commission adopted the Reviewing Officer's recommendation, made a final determination that Jim Forsythe for Congress and you, as Treasurer, violated 2 U.S.C. § 434(a) and, based on the level of activity disclosed on the 2008 Year End Report (\$0), assessed a civil money penalty of \$0 (reduced from the RTB civil money penalty of \$2,700). It is based on the same factors used to calculate the civil money penalty at RTB except that the actual rather than the estimated level of activity was used. A copy of the final determination recommendation is attached.

29092642845

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions, please contact Jill Sugarman on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,



Steven T. Walther  
Chairman

Attachment



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2065

DATE SCANNED 10-19-05

SCANNER NO. 2

SCAN OPERATOR Imp

29092642846